

REMARKS

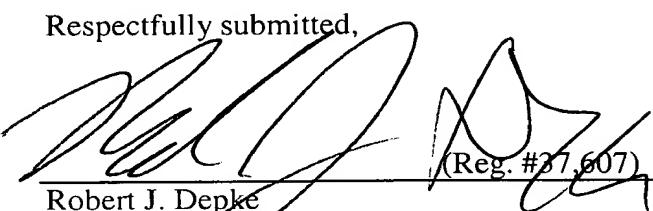
Applicants thank the Examiner for the courtesy of the interview during which the substance of the final rejections in this application were discussed. In light of these discussions, Applicants have submitted concurrently herewith an amendment which modifies the claim language to reflect the differences between the prior art of record and the subject matter of the instant invention.

In regard to item 1 in the office action, Applicants have set forth corrected drawings as requested by the Examiner. In response to the new grounds of rejection Applicants have canceled certain claims and amended other claims to further specify that the claimed adjustment is made in response to a determined bit error rate and that this adjustment occurs dynamically while reading user data from the disc. The prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicants' presently claimed invention. More specifically, Applicants note that the Fuji reference, United States patent No. 6,392,970 is merely directed to a disc reproduction method wherein light variation occurs in a very specific manner. Significantly, however, the light quantity variation described in this reference does not occur dynamically in response to a measured bit error rate. Rather, as described in the Fuji references, test data is initially recorded on a disc and the test data is subsequently reproduced by changing the light reproducing quantity through a plurality of specific light quantity values. In accordance with this reference, for each value or signal level, a quality and quantity of the reproduction signals are then measured and an optimum reproducing signal quantity from the plurality of reproducing signal quantities previously tested is selected. Thereafter, this value is recorded on the disc as a target value which is to be used during subsequent disc operations. See, generally, the abstract of the disclosure and the detailed description. There is simply no teaching or suggestion, however, in this reference regarding Applicants' dynamic adjustment of the

various factors now specified in the claims. Applicants have also canceled claimed 10 and the corresponding to dependent claims. Applicants submit that all claims now stand in condition for allowance.

Respectfully submitted,

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CERTIFICATE OF MAILING

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A handwritten signature in black ink, appearing to read "M. D. S." followed by a stylized surname. Below the signature, the text "Attorney for Applicants" is printed in a smaller, sans-serif font.

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